

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**ROSA MARIA BELLO MARTAGON
and JUAN JORGE MARIN
HERNANDEZ,
Plaintiffs,**

VS.

**ALEJANDRO MURILLO AND
OVERNIGHT CLEANSE, L.L.C.,
Defendants.**

CIVIL ACTION NO. [* _____*]

NOTICE OF REMOVAL

TO THE HONORABLE JUDGE OF SAID COURT:

1. Defendants, Alejandro Murillo and Overnight Cleanse, L.L.C., by their undersigned attorney, respectfully show this Court:
2. On August 28, 2018, Cause No. DC-18-12500 was commenced against Defendants in the 14TH District Court of Dallas County, Texas, and is now pending therein.
3. On September 10, 2018, Defendants were served with Plaintiff's Original Petition in the above-entitled action.
4. As of the date of this filing, no pleadings have been filed in the state court action other than the Plaintiff's petition. Copies of the state court docket, all process, pleadings and orders served upon Defendants in the above-entitled action are attached hereto and identified in the Index of Pleadings filed herewith.
5. This Court has original jurisdiction of the above-entitled action pursuant to 28 U.S.C. §1331, and the action may therefore be removed to this Court pursuant to 28 U.S.C. §1441(c). Venue is proper in this district under 28 U.S.C. §1441(a) because the state court where

the suit has been pending is located in this district.

6. The above-entitled action is a civil action for claims under the federal Fair Labor Standards Act, 29 U.S.C. §201, et. seq. for which Plaintiffs claim they are entitled to relief pursuant to 29 U.S.C. §216(b).

7. This notice is filed with this Court within 30 days after service on Defendants of Plaintiff's Original Petition in the above-entitled action.

8. All Defendants who have been properly joined and served join in or consent to the removal of this case to federal court.

9. Plaintiffs did not demand a jury in state court.

WHEREFORE, Defendants pray that the above-entitled action be removed from the 14th District Court of Dallas County, Texas to this Court.

Respectfully submitted,

Kessler Collins, P.C.

By: 

Casey S. Erick
Texas Bar No. 24028564
E-Mail: CErick@kesslercollins.com
2100 Ross Avenue, Suite 750
Dallas, Texas 75201
Tel. (214) 379-0732
Fax. (214) 373-4714
E-Mail: CErick@kesslercollins.com
Attorney for Defendants
Alejandro Murillo and Overnight Cleanse,
L.L.C.

CERTIFICATE OF SERVICE

I also hereby certify that on September 28, 2018, I electronically filed the Notice of Removal with the Clerk of the Court using the CM/EMF system, which will send notification of such filing to Shana Khader.

By: 

INDEX OF PLEADINGS

- | | |
|--|---------------------------|
| 1. Civil Case Information Sheet | Filed: August 28, 2018 |
| 2. Plaintiffs' Original Petition | Filed: August 28, 2018 |
| 3. Form No. 353-3-Citation State of Texas | |
| a. Alejandro Murillo | Issued: September 7, 2018 |
| b. Overnight Cleanse, LLC | Issued: September 7, 2018 |
| 4. Affidavit of Service (Alejandro Murillo) | September 10, 2018 |
| 5. Affidavit of Service (Overnight Cleanse, LLC) | September 10, 2018 |

Case Information

State Court Docket

DC-18-12500 | ROSA MARIA BELLO MARTAGON, et al vs. ALEJANDRO MURILLO, et al

Case Number	Court	Judicial Officer
DC-18-12500	14th District Court	MOYE', ERIC
File Date	Case Type	Case Status
08/28/2018	CNTR CNSMR COM	OPEN
	DEBT	

Party

PLAINTIFF

BELLO MARTAGON, ROSA MARIA

Address

1250 W. Mockingbird Ln.

Suite 455

Dallas TX 75247

PLAINTIFF

MARIN HERNANDEZ, JUAN JORGE

Address

1250 W. Mockingbird Ln.

Suite 455

Dallas TX 75247

DEFENDANT

MURILLO, ALEJANDRO

Address

2748 IVANDELL AVE

DALLAS TX 75211

DEFENDANT

OVERNIGHT CLEANSE LLC

Address

JOSEFINA MURILLO
2748 IVANDELL AVE
DALLAS TX 75211

Events and Hearings

08/28/2018 NEW CASE FILED (OCA) - CIVIL

08/28/2018 ORIGINAL PETITION ▼

ORIGINAL PETITION

08/28/2018 CASE FILING COVER SHEET ▼

CIVIL CASE INFO SHEET

08/28/2018 ISSUE CITATION ▼

ISSUE CITATION

ISSUE CITATION

09/07/2018 CITATION ▼

Anticipated Server

ESERVE

Anticipated Method

Actual Server

PRIVATE PROCESS SERVER

Returned

09/14/2018

Comment

ESERVE/KM

09/07/2018 CITATION ▼

Anticipated Server

ESERVE

Anticipated Method

Comment

ESERVE/KM

09/14/2018 RETURN OF SERVICE ▼

AFFIDAVIT OF SERVICE: ALEJANDRO MURILLO

Comment

AFFIDAVIT OF SERVICE: ALEJANDRO MURILLO

09/14/2018 RETURN OF SERVICE ▼

AFFIDAVIT OF SERVICE: OVERNIGHT CLEANSE LLC

Comment

AFFIDAVIT OF SERVICE: OVERNIGHT CLEANSE LLC

Financial

BELLO MARTAGON, ROSA MARIA

Total Financial Assessment \$308.00

Total Payments and Credits \$308.00

8/30/2018 Transaction \$308.00
Assessment

8/30/2018	CREDIT	Receipt #	BELLO	(\$308.00)
	CARD -	57328-2018-	MARTAGON,	
	TEXTFILE	DCLK	ROSA	
	(DC)		MARIA	

Documents

ORIGINAL PETITION

CIVIL CASE INFO SHEET

ISSUE CITATION

ISSUE CITATION

AFFIDAVIT OF SERVICE: ALEJANDRO MURILLO

AFFIDAVIT OF SERVICE: OVERNIGHT CLEANSE LLC

CAUSE NUMBER (FOR CLERK USE ONLY): COURT (FOR CLERK USE ONLY):

STYLED **Rosa Maria Bello Martagon and Juan Jorge Marin Hernandez v. Alejandro Murillo and Overnight Cleanse, LLC**

(e.g., John Smith v. All American Insurance Co.; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing.

1. Contact information for person completing case information sheet:		Names of parties in case:		Person or entity completing sheet is:
Name: Shana Khader	Email: skhader@equaljusticecenter.org	Plaintiff(s)/Petitioner(s): Rosa Maria Bello Martagon Juan Jorge Marin Hernandez		<input checked="" type="checkbox"/> Attorney for Plaintiff/Petitioner <input type="checkbox"/> Pro Se Plaintiff/Petitioner <input type="checkbox"/> Title IV-D Agency <input type="checkbox"/> Other:
Address: 1450 W. Mockingbird Ln. Ste. 455	Telephone: (469) 228-4233	Defendant(s)/Respondent(s): Alejandro Murillo Overnight Cleanse, LLC		Additional Parties in Child Support Case: Custodial Parent: Non-Custodial Parent: Presumed Father:
City/State/Zip: Dallas, TX 75247	Fax: (426) 941-0861	[Attach additional page as necessary to list all parties]		
Signature: /s/ Shana Khader	State Bar No: 24099860			

2. Indicate case type, or identify the most important issue in the case (select only 1):				
Civil			Family Law	
Contract <input type="checkbox"/> Consumer/DTPA <input checked="" type="checkbox"/> Debt/Contract <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Other Debt/Contract: Foreclosure <input type="checkbox"/> Home Equity—Expedited <input type="checkbox"/> Other Foreclosure <input type="checkbox"/> Franchise <input type="checkbox"/> Insurance <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Non-Competition <input type="checkbox"/> Partnership <input type="checkbox"/> Other Contract:	Injury or Damage <input type="checkbox"/> Assault/Battery <input type="checkbox"/> Construction <input type="checkbox"/> Defamation Malpractice <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional Liability: <input type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Premises Product Liability <input type="checkbox"/> Asbestos/Silica <input type="checkbox"/> Other Product Liability List Product: <input type="checkbox"/> Other Injury or Damage:	Real Property <input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass to Try Title <input type="checkbox"/> Other Property: Related to Criminal Matters <input type="checkbox"/> Expunction <input type="checkbox"/> Judgment Nisi <input type="checkbox"/> Non-Disclosure <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment <input type="checkbox"/> Other:	Marriage Relationship <input type="checkbox"/> Annulment <input type="checkbox"/> Declare Marriage Void Divorce <input type="checkbox"/> With Children <input type="checkbox"/> No Children Other Family Law <input type="checkbox"/> Enforce Foreign Judgment <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Name Change <input type="checkbox"/> Protective Order <input type="checkbox"/> Removal of Disabilities of Minority <input type="checkbox"/> Other:	Post-judgment Actions (non-Title IV-D) <input type="checkbox"/> Enforcement <input type="checkbox"/> Modification—Custody <input type="checkbox"/> Modification—Other Title IV-D <input type="checkbox"/> Enforcement/Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Reciprocals (UIFSA) <input type="checkbox"/> Support Order Parent-Child Relationship <input type="checkbox"/> Adoption/Adoption with Termination <input type="checkbox"/> Child Protection <input type="checkbox"/> Child Support <input type="checkbox"/> Custody or Visitation <input type="checkbox"/> Gestational Parenting <input type="checkbox"/> Grandparent Access <input type="checkbox"/> Parentage/Paternity <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Other Parent-Child:
Employment <input type="checkbox"/> Discrimination <input type="checkbox"/> Retaliation <input type="checkbox"/> Termination <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other Employment:	Other Civil <input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Antitrust/Unfair Competition <input type="checkbox"/> Code Violations <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Intellectual Property <input type="checkbox"/> Lawyer Discipline <input type="checkbox"/> Perpetuate Testimony <input type="checkbox"/> Securities/Stock <input type="checkbox"/> Tortious Interference <input type="checkbox"/> Other:			
Tax <input type="checkbox"/> Tax Appraisal <input type="checkbox"/> Tax Delinquency <input type="checkbox"/> Other Tax	Probate & Mental Health Probate/Wills/Intestate Administration <input type="checkbox"/> Dependent Administration <input type="checkbox"/> Independent Administration <input type="checkbox"/> Other Estate Proceedings <input type="checkbox"/> Guardianship—Adult <input type="checkbox"/> Guardianship—Minor <input type="checkbox"/> Mental Health <input type="checkbox"/> Other:			

3. Indicate procedure or remedy, if applicable (may select more than 1):		
<input type="checkbox"/> Appeal from Municipal or Justice Court <input type="checkbox"/> Arbitration-related <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input type="checkbox"/> Class Action	<input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input type="checkbox"/> Mandamus <input type="checkbox"/> Post-judgment	<input type="checkbox"/> Prejudgment Remedy <input type="checkbox"/> Protective Order <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input type="checkbox"/> Temporary Restraining Order/Injunction <input type="checkbox"/> Turnover

4. Indicate damages sought (do not select if it is a family law case):	
<input checked="" type="checkbox"/> Less than \$100,000, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees <input type="checkbox"/> Less than \$100,000 and non-monetary relief <input type="checkbox"/> Over \$100,000 but not more than \$200,000 <input type="checkbox"/> Over \$200,000 but not more than \$1,000,000 <input type="checkbox"/> Over \$1,000,000	



CAUSE NO. DC-18-12500

Christi Underwood

ROSA MARIA BELLO MARTAGÓN and
JUAN JORGE MARIN HERNANDEZ,*Plaintiffs,*

v.

ALEJANDRO MURILLO and
OVERNIGHT CLEANSE, LLC,*Defendants.*§
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§
§
§

IN THE DISTRICT COURT

NO. A-14

OF DALLAS COUNTY, TEXAS

PLAINTIFFS' ORIGINAL PETITION

TO THE HONORABLE COURT:

INTRODUCTION

Plaintiffs Rosa Maria Bello Martagón and Juan Jorge Marin Hernandez ("Plaintiffs") bring this suit against Defendants Alejandro Murillo and Overnight Cleanse, LLC ("Defendants"), who employed Plaintiffs to do detailed cleaning overnight each night at two high-end restaurants in the Dallas-Fort Worth area. Despite repeated promises to pay, Defendants did not pay Plaintiffs at all for the work they performed in March 2018, and made only partial payment for their work in February 2018. As a result, Plaintiffs now seek to recover their unpaid contract compensation and minimum wages, plus liquidated damages, interest, costs, and attorneys' fees as provided by law.

DISCOVERY CONTROL PLAN

1. Plaintiffs intend for this suit to be conducted under Discovery Level 1, pursuant to Tex. R. Civ. P. 190.2.

Plaintiffs' O



PARTIES

2. Plaintiffs Rosa Maria Bello Martagón and Juan Jorge Marin Hernandez are individuals residing in Dallas County, Texas.

3. Defendant Alejandro Murillo is an individual residing in Dallas County, Texas. He may be served at his residence at 2748 Ivandell Avenue, Dallas, TX 75211.

4. Defendant Overnight Cleanse, LLC is a domestic limited liability company doing business in Texas that may be served through its registered agent, Josefina Murillo, at 2748 Ivandell Avenue, Dallas, TX 75211.

VENUE

5. Venue is proper in Dallas County, Texas as a substantial part of the Plaintiffs' employment by, and/or work for Defendants took place in Dallas County, Texas and a substantial part of Defendants' actions violating Plaintiffs' employment rights occurred in Dallas County, Texas. In addition, Defendants reside and do business in Dallas County, Texas.

REQUEST FOR DISCLOSURE

6. Plaintiffs request that Defendants serve upon Plaintiffs, within 50 days of receipt of this petition, disclosure of all information listed under Rule 194.2(a)-(i) of the Texas Rules of Civil Procedure, in accordance with the requirements of Rule 194.

FACTS

7. At all times relevant to this action, Plaintiffs were employees of Defendants.

8. Defendant Murillo began to employ Plaintiffs in approximately 2008 to perform commercial cleaning.

9. In approximately 2008, Defendant Murillo assigned Plaintiffs to perform detailed cleaning overnight each night at The Capital Grille location at 500 Crescent Court in Dallas, Texas.

10. Defendant Murillo agreed to pay Plaintiff Martagón \$1,000 per month to perform detailed cleaning of the kitchen each night at The Capital Grille location in Dallas.

11. Defendant Murillo agreed to pay Plaintiff Marin \$1,600 per month to perform detailed cleaning of the kitchen each night at The Capital Grille location in Dallas.

12. In approximately 2012, Defendant Murillo assigned Plaintiffs to perform detailed cleaning overnight each night at The Capital Grille location at 7300 Dallas Parkway in Plano, Texas.

13. Defendant Murillo agreed to pay Plaintiffs \$2,400 each per month to perform detailed cleaning every night of the kitchen and seating area at The Capital Grille location at 7300 Dallas Parkway in Plano, Texas.

14. In January 2017, Defendant Murillo formed Defendant Overnight Cleanse, LLC.

15. Defendant Murillo and his wife Josefina Murillo are the sole members of Defendant Overnight Cleanse.

16. During their employment, Defendant Murillo sometimes paid Plaintiffs in cash and sometimes paid Plaintiffs by check drawn on an account in the name of Defendant Overnight Cleanse.

17. At all times relevant to this action, Plaintiffs worked full time for Defendants, each working approximately 70 hours per week.

18. In February 2018, Plaintiffs cleaned the Dallas and Plano locations of The Capital Grille as assigned by Defendants.

19. For work performed in February 2018, Defendants did not compensate Plaintiffs at the agreed rates for their work. Instead, Defendant Murillo made only partial payment of \$1,500 each by checks drawn on an account in the name of Defendant Overnight Cleanse.

20. Defendant Murillo promised further payment on a later date and asked that Plaintiffs continue working.

21. In reliance on Defendant Murillo's promise of forthcoming payment, Plaintiffs continued working for Defendants until approximately March 26, 2018.

22. Defendants made no further payment to Plaintiffs for their work performed in February 2018.

23. Defendants did not compensate Plaintiffs at all for their work performed in March 2018.

24. Between March 2018 and May 2018, Defendant Murillo made repeated promises to pay Plaintiffs but failed to do so.

25. On or about May 31, 2018, Plaintiffs presented their claims for unpaid wages to Defendants. More than 30 days have passed and Defendants have not tendered the amounts owed to Plaintiffs.

26. Plaintiffs have satisfied all conditions precedent to bringing their claims.

CAUSES OF ACTION

(1) TEXAS MINIMUM WAGE ACT – MINIMUM WAGE

27. In February and March 2018, the above-described actions by Defendants violated Plaintiffs' right to receive the minimum wage in violation of the Texas Minimum Wage Act, Tex. Lab. Code § 62.051 *et seq.*

(2) FAIR LABOR STANDARDS ACT – MINIMUM WAGE

28. In the alternative, the above-described actions by Defendants in February and March 2018 violated Plaintiffs' right to receive the minimum wage in violation of the federal Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.*, for which the Plaintiffs are entitled to relief pursuant to 29 U.S.C. § 216(b).

(3) BREACH OF CONTRACT

29. By agreeing to compensate Plaintiffs for their labor, as described above, Defendant Murillo entered into valid contracts with each Plaintiff.

30. By agreeing to compensate Plaintiffs for their labor, as described above, Defendant Murillo entered into valid contracts with each Plaintiff on behalf of Defendant Overnight Cleanse.

31. Plaintiffs fully performed their obligations under each contract.

32. In the alternative, Plaintiffs substantially performed their obligations under each contract.

33. For each contract, Defendants breached the contract by failing to pay Plaintiffs the agreed compensation for the work.

34. For each contract, Defendants' breach caused injury to Plaintiffs, including lost profits and consequential damages, for which Plaintiffs are entitled to damages and all other relief in accordance with Texas law.

(4) PERPETRATION OF FRAUD BY ALTER EGO

35. Defendant Overnight Cleanse was used as an alter ego for Defendant Murillo.

36. Defendant Murillo used Defendant Overnight Cleanse to perpetrate an actual fraud against Plaintiffs by procuring their continued labor in March 2018 using false promises that he would eventually pay them.

37. By so doing, Defendant Murillo procured Plaintiffs' labor with dishonesty of purpose or intent to deceive.

38. Defendant Murillo benefitted personally from perpetration of this fraud by using funds promised to Plaintiffs for his personal expenses.

39. As a result, Defendant Murillo is individually liable for Defendant Overnight Cleanse's contracts with Plaintiffs pursuant to Section 21.223 of the Texas Business Organizations Code.

(5) QUANTUM MERUIT

40. Alternatively, as a result of Defendants' actions, even if there was no contract covering Plaintiffs' work, Plaintiffs are entitled to damages under Texas law pursuant to the common law doctrines of quantum meruit and unjust enrichment, including costs and attorneys' fees.

41. Plaintiffs provided Defendants, for Defendants' benefit, with the agreed-upon services.

42. For each service, Defendants accepted the services provided by Plaintiffs and knew or should have known that Plaintiffs expected compensation when Defendants accepted Plaintiffs' services.

43. For each service, Plaintiffs are entitled to damages pursuant to the common law doctrines of quantum meruit and unjust enrichment.

ATTORNEYS' FEES

44. As a result of Defendants' actions, Plaintiffs have had to engage counsel to pursue their claims and protect their legal rights. Plaintiffs are entitled to attorneys' fees under the Texas Minimum Wage Act, Tex. Lab. Code § 62.051 *et seq.*; the Federal Fair Labor Standards Act, 29 U.S.C. § 216(b); and Chapter 38 of the Texas Civil Practice and Remedies Code.

PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Plaintiffs respectfully pray that Defendants be cited to appear and answer, and that, upon a final hearing, Plaintiffs be granted a judgment against Defendants for:

- a. the amount of Plaintiffs' unpaid minimum wages;
- b. an equal amount in liquidated damages;
- c. the amount of Plaintiffs' unpaid contract compensation;
- d. the amount of Plaintiffs' consequential damages;
- e. pre-judgment interest as provided by law;
- f. post-judgment interest as provided by law;
- g. costs of court, attorneys' fees, and expenses; and
- h. such other and further relief, at law or in equity, to which Plaintiffs may justly be entitled.

Respectfully submitted,

EQUAL JUSTICE CENTER

/s/ Shana Khader
Shana Khader
Texas Bar No. 24099860
1250 W. Mockingbird Lane, Ste. 455
Dallas, Texas 75247

skhader@equaljusticecenter.org

Tel: (469) 228-4233

Fax: (469) 941-0861

Anna Bocchini

Texas Bar No. 24057410

510 S. Congress Ave., Ste. 206

Austin, Texas 78704

abocchini@equaljusticecenter.org

Tel: (512) 474-0007 x. 105

Fax: (512) 474-0008

ATTORNEYS FOR PLAINTIFFS

VERIFICATION

I hereby certify that the factual statements in the attached complaint are true.

Con la presente, certifico que las declaraciones factuales en la demanda adjunta son verdaderas.



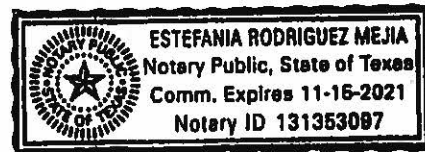
Plaintiff

Subscribed and sworn to by Rosa Maria Bello, on this 22 day of August, 2018, who is personally known to me or produced appropriate official identity documentation.



Notary public

Notary Seal:



VERIFICATION

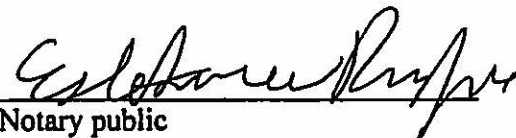
I hereby certify that the factual statements in the attached complaint are true.

Con la presente, certifico que las declaraciones factuales en la demanda adjunta son verdaderas.

X 

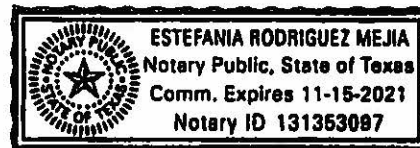
Plaintiff

Subscribed and sworn to by Juan Marin, on this 22 day of August, 2018, who is personally known to me or produced appropriate official identity documentation.



Notary public

Notary Seal:



**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

To:

ALEJANDRO MURILLO
2748 IVANDELL AVE
DALLAS TX 75211

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the 14th District Court at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **ROSA MARIA BELLO MARTAGÓN AND JUAN JORGE MARIN HERNANDEZ**

Filed in said Court 28th day of August, 2018 against

ALEJANDRO MURILLO AND OVERNIGHT CLEANSE, LLC

For Suit, said suit being numbered **DC-18-12500**, the nature of which demand is as follows:
Suit on CNTR CNSMR COM DEBT etc. as shown on said petition **REQUEST FOR DISCLOSURE**, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 7th day of September, 2018.

ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By Kari Malone, Deputy
KARI MALONE



ESERVE

CITATION

DC-18-12500

**ROSA MARIA BELLO MARTAGON, et
al
vs.
ALEJANDRO MURILLO, et al**

**ISSUED THIS
7th day of September, 2018**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: KARI MALONE, Deputy

**Attorney for Plaintiff
SHANA KHADER
1250 W. MOCKINGBIRD LANE, STE. 455
DALLAS, TEXAS 75247
469-228-4233
SKHADER@
EQUALJUSTICECENTER.ORG**

**DALLAS COUNTY
SERVICE FEES
NOT PAID**



OFFICER'S RETURN

Case No. : DC-18-12500

Court No. 14th District Court

Style: ROSA MARIA BELLO MARTAGON, et al

vs.

ALEJANDRO MURILLO, et al

Came to hand on the _____ day of _____, 20_____, at _____ o'clock _____ M. Executed at _____,
within the County of _____ at _____ o'clock _____ M. on the _____ day of _____,
20_____, by delivering to the within named _____

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation	\$ _____	_____
For mileage	\$ _____	of _____ County, _____
For Notary	\$ _____	By _____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20_____.
to certify which witness my hand and seal of office.

Notary Public _____ County _____

**FORM NO. 353-3 - CITATION
THE STATE OF TEXAS**

To:

**OVERNIGHT CLEANSE LLC
SERVING REGISTERED AGENT JOSEFINA MURILLO
2748 IVANDELL AVE
DALLAS TX 75211**

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the 14th District Court at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **ROSA MARIA BELLO MARTAGÓN AND JUAN JORGE MARIN HERNANDEZ**

Filed in said Court 28th day of August, 2018 against

ALEJANDRO MURILLO AND OVERNIGHT CLEANSE, LLC

For Suit, said suit being numbered **DC-18-12500**, the nature of which demand is as follows:
Suit on CNTR CNSMR COM DEBT etc. as shown on said petition **REQUEST FOR DISCLOSURE**, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.
Given under my hand and the Seal of said Court at office this 7th day of September, 2018.

ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County, Texas

By Kari Malone, Deputy
KARI MALONE



ESERVE

CITATION

DC-18-12500

**ROSA MARIA BELLO MARTAGON, et
al
vs.
ALEJANDRO MURILLO, et al**

**ISSUED THIS
7th day of September, 2018**

**FELICIA PITRE
Clerk District Courts,
Dallas County, Texas**

By: KARI MALONE, Deputy

**Attorney for Plaintiff
SHANA KHADER
1250 W. MOCKINGBIRD LANE, STE. 455
DALLAS, TEXAS 75247
469-228-4233**

**SKHADER@
EQUALJUSTICECENTER.ORG**

**DALLAS COUNTY
SERVICE FEES
NOT PAID**



OFFICER'S RETURN

Case No. : DC-18-12500

Court No. 14th District Court

Style: ROSA MARIA BELLO MARTAGON, et al

vs.

ALEJANDRO MURILLO, et al

Came to hand on the _____ day of _____, 20____, at _____ o'clock _____ M. Executed at _____
within the County of _____ at _____ o'clock _____ M. on the _____ day of _____
20____, by delivering to the within named _____

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by
me in serving such process was _____ miles and my fees are as follows: To certify which witness my hand.

For serving Citation	\$ _____	_____
For mileage	\$ _____	of _____ County, _____
For Notary	\$ _____	By _____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said _____ before me this _____ day of _____, 20____.
to certify which witness my hand and seal of office.

Notary Public _____ County _____

JAVIER HERNANDEZ

CAUSE NO. DC-18-12500

ROSA MARIA BELLO MARTAGON, ET AL

§

IN THE DISTRICT COURT

§

Plaintiff,

§

VS.

§

DALLAS COUNTY, TEXAS

§

ALEJANDRO MURILLO, ET AL

§

Defendant.

§

14TH JUDICIAL DISTRICT

AFFIDAVIT OF SERVICE

On this day personally appeared MITCHELL DRAEGER who, being by me duly sworn, deposed and said:

"The following came to hand on Sep 7, 2018, 5:15 pm,

CITATION, PLAINTIFF'S ORIGINAL PETITION ,

and was executed at 2748 Ivandell Ave, Dallas, TX 75211 within the county of DALLAS at 11:35 AM on Mon, Sep 10 2018, by delivering a true copy to the within named

ALEJANDRO MURILLO

In person, having first endorsed the date of delivery on same.

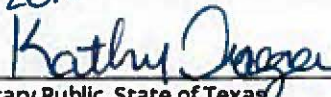
I am a person over eighteen (18) years of age and I am competent to make this affidavit. I am a resident of the State of Texas. I am familiar with the Texas Rules of Civil Procedure as they apply to service of Process. I am not a party to this suit nor related or affiliated with any herein, and have no interest in the outcome of the suit. I have never been convicted of a felony or of a misdemeanor involving moral turpitude. I have personal knowledge of the facts stated herein and they are true and correct."



MITCHELL DRAEGER
PSC 7995 EXP.12-31-2019

BEFORE ME, a Notary Public, on this day personally appeared MITCHELL DRAEGER, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are within his or her personal knowledge and are true and correct.

SUBSCRIBED AND SWORN TO ME ON September 12, 2018



Notary Public, State of Texas



JAVIER HERNANDEZ

CAUSE NO. DC-18-12500

ROSA MARIA BELLO MARTAGON, ET AL

§

IN THE DISTRICT COURT

§

Plaintiff,

§

VS.

§

DALLAS COUNTY, TEXAS

§

ALEJANDRO MURILLO, ET AL

§

Defendant.

§

14TH JUDICIAL DISTRICT

AFFIDAVIT OF SERVICE

On this day personally appeared MITCHELL DRAEGER who, being by me duly sworn, deposed and said:

"The following came to hand on Sep 7, 2018, 5:15 pm,

CITATION, PLAINTIFF'S ORIGINAL PETITION ,

and was executed at 2748 Ivandell Ave, Dallas, TX 75211 within the county of DALLAS at 11:35 AM on Mon, Sep 10 2018, by delivering a true copy to the within named

OVERNIGHT CLEANSE LLC, BY SERVING REGISTERED AGENT JOSEFINA MURILLO

in person, having first endorsed the date of delivery on same.

I am a person over eighteen (18) years of age and I am competent to make this affidavit. I am a resident of the State of Texas. I am familiar with the Texas Rules of Civil Procedure as they apply to service of Process. I am not a party to this suit nor related or affiliated with any herein, and have no interest in the outcome of the suit. I have never been convicted of a felony or of a misdemeanor involving moral turpitude. I have personal knowledge of the facts stated herein and they are true and correct."



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BEFORE ME, a Notary Public, on this day personally appeared MITCHELL DRAEGER, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are within his or her personal knowledge and are true and correct.

SUBSCRIBED AND SWORN TO ME ON September 12, 2018



Notary Public, State of Texas

